

REMARKS

Claims 2, 4, 6, 8, 12-14, 18, 19, 21-25, 28 and 29 are cancelled; claims 1, 5, 7, 9, and 26 are amended; and claims 3, 10, 11, 15, 16, 17, 20, and 27 are pending. No new matter has been added by way of these amendments.

The Examiner has rejected claims 1-16 and 27-29 under 35 U.S.C. § 112, second paragraph, as allegedly not enabling for methods of using the compounds of Formula (I) for "treating a disease or certain cancer without limitation (i.e. no named diseases)." *Office Action*, page 5. The Examiner, however, admits that the application is enabling for Frasier syndrome.

Claim 1 is directed to a method of treating disease with the compounds of Formula (I). Applicants have amended claim 1 to recite specific diseases. Applicants have canceled claims 12-13. Accordingly, the claims are directed to specific, named diseases. In view of the claim amendments, Applicants respectfully submit that this rejection is moot and that the rejection of claims 1-16 and 27-29 be withdrawn.

The Examiner has also rejected claims 1-16 and 27-29 under 35 U.S.C. § 102(b) as allegedly anticipated by *Chermann* (CAS:89:36630). The Examiner contends that two compounds of *Chermann*, namely RN:65222-35-7 and RN:65222-36-8, anticipate the claimed invention for use in treating cancer. *Office Action*, page 10.

Chermann, as noted by the Examiner, discloses that these two compounds are useful for treating cancer, leukemia, or sarcomas. For example, *Chermann* notes that "the new derivatives show potent action on different experimental tumors." *Chermann* at 1201. The claims as amended, however, are not directed to

methods of treating cancer, leukemia, or sarcomas, but rather directed to treating other diseases as enumerated in claim 1. For this reason alone, *Chermann* cannot anticipated the claimed invention. Accordingly, the rejection must be withdrawn.

Finally, the Examiner has objected to claims 1-29 on two grounds. The claims have been amended to cure the contended objections. Accordingly, the objections should be withdrawn. And certainly, at least claims 17 and 26, which were objected to based solely on their dependency from objected claims, and never rejected, should be placed in an immediate condition for allowance.

As it is believed that all of the rejections set forth in the Official Action have been fully met, favorable reconsideration and allowance are earnestly solicited.

If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that he/she telephone applicant's attorney at (908) 654-5000 in order to overcome any additional objections which he might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

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Respectfully submitted,
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